

FORTY-SECOND DAY

(Thursday, March 27, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Knight	York
Lane	

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Lane, and by unanimous consent, the reading of the proceedings of yesterday was dispensed with and the Journal approved.

Leave of Absence Granted

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Senate Bill 373 on First Reading

Senator Proffer moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kelly of Tarrant
Brown	Knight
Bullock	Lane
Carney	Moffett
Chadick	Morris
Cousins	Parrish
Crawford	Phillips
Hardeman	Proffer
Harris	Ramsey
Jones	Stanford
Kelley of Hidalgo	Strauss

Taylor
Tynan

Vick
Winfield

Absent

York

Absent—Excused

Hazlewood
Mauritz

Weinert

The following bill then was introduced, read first time, and referred to the Committee on State Affairs.

S. B. No. 373, A bill to be entitled "An Act amending Acts 1945, 49th Legislature, Chapter 304, page 488, Section 1, Subsections 1, 2, 3, 4, and 5 to include rural high school districts, and all other school districts within the provisions of the Act, and declaring an emergency."

Reports of Standing Committees

Senator Winfield submitted the following report:

Austin, Texas,
March 26, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation, to whom was referred Senate Bill No. 325, have had the same under consideration, and I am instructed to report it back to you with the recommendation that it do pass with the committee amendments attached and be printed.

WINFIELD, Chairman.

Senator Ramsey submitted the following report:

Austin, Texas,
March 27, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred House Bill No. 513, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Senator Bullock submitted the following report:

Austin, Texas,
March 27, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 471, have had the same under

consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

BULLOCK, Chairman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 27, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

The House had adopted the Conference Committee Report on House Bill No. 35 by a vote of 133 yeas, no noes.

The House refused to concur in Senate amendments to House Bill No. 23 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The following have been appointed on the part of the House: M. O. Bell, John Bell, Storey, Kilgore, Crawford.

The House has passed:

S. B. No. 228, A bill to be entitled "An Act to amend Section 4 of Article 2654-a of the Revised Civil Statutes of Texas, same being Chapter 237, page 351, Acts of the Fortieth Legislature, 1927, so as to authorize the governing boards of the various state institutions of higher learning to change certain fees from all students to cover the costs of student services; naming the student services included; limiting the amount of said fee; validating certain fees and charges previously collected, charged or attempted to be collected; providing a savings clause; repealing all laws or parts of laws in conflict herewith; and declaring an emergency." (With amendments.)

S. B. No. 78, An Act making emergency appropriations for the Agricultural and Mechanical College of Texas for the fiscal year ending August 31, 1947, for the construction of a greenhouse and laboratory; salary for a plant breeder; labor and assistance; maintenance, supplies and equipment; outlying work; and declaring an emergency.

H. C. R. No. 66, That each House

grant the other permission to adjourn from Thursday, March 27, 1947, until Monday, March 31, 1947.

H. B. No. 537, A bill to be entitled "An Act making it the duty of the State Health Officer to determine and define areas infected by foxes with rabies, authorizing the State Health Officer to pay bounties for destroying such foxes; providing for newspaper notices; making an appropriation to carry out the provisions of this Act; providing an open season on foxes in infected areas; repealing all laws and parts of laws in conflict; providing a savings clause; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

House Bill 17 on Final Passage

The President pro tempore laid before the Senate as unfinished business, on its final passage:

H. B. No. 17, A bill to be entitled "An Act fixing the terms of leases covering any area within river beds and channels, unsold school lands, both surveyed or unsurveyed, or any area within tidewater limits, including islands, lakes, salt water lakes, bays, inlets, marshes, reefs, the bed of the sea and that portion of the Gulf of Mexico now or hereafter within the jurisdiction of the State of Texas; providing for the amendment of existing leases covering such lands and areas; repealing all laws and parts of laws in conflict herewith; declaring the provisions hereof severable; and declaring an emergency."

The bill having been read third time on yesterday, with an amendment by Senator Phillips pending.

Question—Shall the amendment be adopted?

Question recurring on the amendment, it was lost by the following vote:

Yeas—10

Bullock	Parrish
Chadick	Phillips
Crawford	Proffer
Hardeman	Stanford
Jones	Vick

Nays—16

Aikin	Carney
Brown	Cousins

Harris	Morris
Kelley of Hidalgo	Ramsey
Kelly of Tarrant	Strauss
Knight	Taylor
Lane	Tynan
Moffett	Winfield

Absent

York

Absent—Excused

Hazlewood	Weinert
Mauritz	

Motion to Adjourn

Senator Stanford moved that the Senate adjourn until 10:00 o'clock a. m., Monday, March 31, 1947.

Yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—5

Chadick	Proffer
Crawford	Stanford
Hardeman	

Nays—20

Aikin	Morris
Brown	Parrish
Bullock	Phillips
Carney	Ramsey
Harris	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Lane	Winfield
Moffett	York

Absent

Cousins	Knight
---------	--------

Absent—Excused

Hazlewood	Weinert
Mauritz	

House Bill No. 17 was then passed by the following vote:

Yeas—19

Aikin	Morris
Brown	Proffer
Carney	Ramsey
Cousins	Strauss
Harris	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Knight	Winfield
Lane	York
Moffett	

Nays—8

Bullock	Chadick
---------	---------

Crawford	Parrish
Hardeman	Phillips
Jones	Stanford

Absent—Excused

Hazlewood	Weinert
Mauritz	

House Concurrent Resolution 66

The President pro tempore laid before the Senate for consideration at this time:

H. C. R. No. 66, Granting each House permission to adjourn from Thursday, March 27, to Monday, March 31, 1947.

The resolution was read.

On motion of Senator Winfield, and by unanimous consent, the resolution was considered immediately and was adopted.

(Senator Aikin in the Chair.)

House Bill 46 on Second Reading

On motion of Senator Lane, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 46, A bill to be entitled "An Act amending Chapter 7 of the Revised Civil Statutes of Texas by adding a new article between Article 2116e and Article 2117 to be designated Article 2116f, providing for the pay of jury commissioners in the district and county courts, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 46 on Third Reading

Senator Lane moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 46 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Harris
Brown	Jones
Bullock	Kelley of Hidalgo
Carney	Kelly of Tarrant
Chadick	Knight
Cousins	Lane
Crawford	Moffett
Hardeman	Morris

Parrish	Taylor
Phillips	Tynan
Proffer	Vick
Ramsey	Winfield
Stanford	York
Strauss	

Absent—Excused

Hazlewood	Weinert
Mauritz	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Knight	York
Lane	

Absent—Excused

Hazlewood	Weinert
Mauritz	

Motion to Reconsider Vote on Passage of House Joint Resolution 3 to Third Reading

Senator Jones moved to reconsider the vote by which H. J. R. No. 3 failed to pass to third reading on yesterday, and asked to have the motion to reconsider spread on the Journal.

House Bill 64 on Second Reading

On motion of Senator Harris, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 64, A bill to be entitled "An Act to amend Subsection 25 of Article 1995, Revised Civil Statutes; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 64 on Third Reading

Senator Harris moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 64 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Knight	York
Lane	

Absent—Excused

Hazlewood	Weinert
Mauritz	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Knight	York

Nays—1

Lane

Absent

Brown	Ramsey
-------	--------

Absent—Excused

Hazlewood	Weinert
Mauritz	

House Concurrent Resolution 49

The Presiding Officer laid before the Senate for consideration at this time:

H. C. R. No. 49, Authorizing the Board of Control to convey an easement to certain land in Williamson

County to the State of Texas for the right-of-way and drainage channel purposes.

The resolution was read and was adopted.

House Bill 154 Set as Special Order

Senator Chadick moved to suspend the regular order of business to take up House Bill No. 154 for consideration at this time.

Senator Lane moved that House Bill No. 154 be set as a special order for Wednesday, April 2, immediately following the morning call.

Question first recurring on the motion by Senator Lane, it prevailed by the following vote:

Yeas—20

Aikin	Lane
Bullock	Moffett
Carney	Morris
Chadick	Parrish
Cousins	Phillips
Hardeman	Proffer
Harris	Ramsey
Jones	Strauss
Kelley of Hidalgo	Taylor
Knight	Tynan

Nays—5

Crawford	Vick
Kelly of Tarrant	York
Stanford	

Absent

Brown	Winfield
-------	----------

Absent—Excused

Hazlewood	Weinert
Mauritz	

House Bill 63 on Second Reading

On motion of Senator Harris, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 63, A bill to be entitled "An Act creating a special fund to be known as the Police Officers' Pension System, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 63 on Third Reading

Senator Harris moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 63 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Moffett
Bullock	Morris
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Knight	York
Lane	

Absent

Brown	Parrish
Kelly of Tarrant	Winfield

Absent—Excused

Hazlewood	Weinert
Mauritz	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Concurrent Resolution 45

The Presiding Officer laid before the Senate for consideration at this time:

H. C. R. No. 45, Granting permission to L. M. Sides of Beeville, Texas, to sue the State of Texas.

The resolution was read and was adopted.

Motion to Reconsider Vote on Final Passage of House Bill 380

Senator Phillips moved to reconsider the vote by which House Bill No. 380 was finally passed, and asked to have the motion to reconsider spread on the Journal.

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,
March 26, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred House Bill No. 282, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

YORK, Chairman.

Austin, Texas,
March 26, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred House Bill No. 283, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

YORK, Chairman.

Austin, Texas,
March 26, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred Senate Bill No. 327, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

YORK, Chairman.

Austin, Texas,
March 26, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred Senate Bill No. 330, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed, as amended.

YORK, Chairman.

Austin, Texas,
March 26, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred Senate Bill No. 337, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed, as amended.

YORK, Chairman.

Austin, Texas,
March 26, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred Senate Bill No. 213, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that the substitute therefor do pass and be printed.

YORK, Chairman.

C. C. S. S. No. 213 was read first time.

Senator Jones submitted the following reports:

Austin, Texas,
March 27, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred Senate Bill No. 332, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Austin, Texas,
March 27, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 540, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

JONES, Chairman.

Austin, Texas,
March 27, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations to whom was referred Senate Bill No. 364, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

(President pro tempore in the Chair.)

Session to Consider Local and Uncontested Bills

Senator Chadick announced that

there would be a session held for the consideration of local and uncontested bills on Wednesday, April 9, 1947.

Bills and Resolution Signed

The President pro tempore signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolution:

S. B. No. 78, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a vegetable breeding laboratory at Winter Haven, Texas, defining the purpose of said laboratory, making an appropriation for the purpose of said laboratory; and declaring an emergency."

S. B. No. 301, A bill to be entitled "An Act amending Section 1, Article 1880-147z, Chapter 3A, Title 128, Vernon's Annotated Civil Statutes, being Acts 1934, 43rd Legislature, Third Called Session, page 19, Chapter 12, Section 1, so as to provide that the Article shall apply to counties having a population not less than 5,000 nor more than 13,000; providing that this Act shall not be retroactive; and declaring an emergency."

H. B. No. 29, A bill to be entitled "An Act establishing a pension system for employees of cities and towns of this State; authorizing municipalities and their employees to voluntarily participate therein; providing that the Legislature shall never make any appropriation to pay any of the cost thereof, etc., and making this effective immediately."

H. C. R. No. 63, Authorizing the Enrolling Clerk of the House of Representatives to make certain corrections in the House Bill No. 29.

House Bill on First Reading

The following House Bill received from the House was laid before the Senate, read first time and referred to the committee indicated:

H. B. No. 537, to Committee on Finance.

Adjournment

Senator Crawford moved that the Senate adjourn until 10:30 o'clock a. m., Monday, March 31, 1947.

Senator Taylor moved that the Senate adjourn until 12:30 o'clock p. m., Monday, March 31, 1947.

Question first recurring on the motion by Senator Taylor, it prevailed by the following vote:

Yeas—18

Bullock	Lane
Carney	Moffett
Chadick	Morris
Cousins	Proffer
Hardeman	Ramsey
Harris	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Knight	York

Nays—7

Aikin	Phillips
Crawford	Stanford
Jones	Strauss
Parrish	

Absent

Brown	Winfield
-------	----------

Absent—Excused

Hazlewood	Weinert
Mauritz	

The Senate, accordingly, at 12:35 o'clock p. m., adjourned until 12:30 o'clock p. m., Monday, March 31, 1947.

FORTY-THIRD DAY

(Monday, March 31, 1947)

The Senate met at 12:30 o'clock p. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called, and the following Senators were present:

Aikin	Knight
Brown	Lane
Bullock	Moffett
Carney	Morris
Chadick	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick

A quorum was announced present.